IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.35616 of 2008
MD.ZAHID @ MD.ZAHID ALAM & QUASIM
Versus
STATE OF BIHAR
---

4. 8.12.2008 Heard Sri Firoz Ahmad, Advocate for the petitioner, Sri Radha Mohan Singh, Advocate for the Informant and the learned A.P.P. for the State.

The case has been registered under Section 366 IPC and the petitioner is named in the FIR. The occurrence took place on 28.4.2008 and as per the allegation the lady who was of weak mental health strayed away from her house and was found at a particular place from where the above named two petitioners and other accused picked her up and told the persons present there that the lady is being taken to her husband's house. The lady did not reach her house and is still traceless.

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It is contended that the lady being of weak mental health, often used to stray away from her house and there was some such history and she appears again getting lost on that account.

The learned counsel appearing for the informant has referred to many paragraphs of the

case diary like, 2, 5, 8, 10, 11, 15 and 18 etc and has submitted that there is ample material in the case diary that one of the accused persons was caught by the people of the locality and he was questioned by them and he assured to return the lady very soon and when the lady could not brought back by the accused persons then the informant filed the report.

Regard being had to the facts of the case and the contentions, I do not find any merit in the petition. The same is dismissed.

(Dharnidhar Jha, J.)

B.Kr.

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